

County of Los Angeles

DEPARTMENT OF PUBLIC SOCIAL SERVICES

12860 CROSSROADS PARKWAY SOUTH • CITY OF INDUSTRY, CALIFORNIA 91746
Tel (562) 908-8400 • Fax (562) 908-0459



PHILIP L. BROWNING
Director

SHERYL L. SPILLER
Chief Deputy



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November 5, 2009

TO: Each Supervisor

FROM: Philip L. Browning, Director

A handwritten signature in cursive script that reads 'Philip L. Browning'.

SUBJECT: **RESPONSE TO SUPERVISOR RIDLEY-THOMAS MOTION REGARDING THE ACTION PLAN TO ASSIST IHSS CONSUMERS TARGETED FOR TERMINATION OR REDUCTION (RIDLEY-THOMAS BOARD MOTION #2 - OCTOBER 6, 2009)**

On October 6, 2009, on a motion by Supervisor Ridley-Thomas, your Board instructed the Director of Public Social Services to report back on the following: the Department's plan to assist individuals who will be terminated from the In-Home Supportive Services (IHSS) program and to communicate that only those individuals who are deserving will benefit from the resources that are available to the County of Los Angeles. As you may know, on October 21, 2009, a preliminary injunction was filed in the United States District Court for the Northern District of California, preventing the implementation of both service terminations as well as reductions to targeted IHSS consumers.

Prior to this action, the department identified approximately 8,700 IHSS consumers who were scheduled to have their services eliminated and 30,000 consumers who would have their hours reduced and took the following proactive steps to minimize the impact:

- Social Workers conducted desk reviews/home visits on all 8,700 cases with a functional score below two and all prospective hour reduction cases when requested by the consumer to ensure appropriate ranking, and the resulting score was input to the IHSS database. This review resulted in approximately 2,000 cases where Functional Index scores were increased.
- Referred IHSS consumers who receive Supplemental Security Income (SSI) and were scheduled for termination to contact the Social Security Administration as they may be eligible to receive the Non-medical out of home care rate which is higher than the SSI payment level.
- Partnered with Multi-Purpose Senior Services Program representatives to identify available community resources for our consumers facing service termination or reduction of hours.

Although the preliminary injunction prevented the implementation of service termination and reduction of hours, the State computer system was already programmed to implement the changes. The State maintained it would take a minimum of five weeks to reprogram the system and therefore, could not reverse the action before the November 1, 2009 effective date. Counties were tasked with manually reversing all of the actions that had been programmed by the State. In Los Angeles County, this translated to approximately 39,000 data entry actions by our IHSS clerical staff. We completed all changes on October 30, 2009 to prevent termination and service reductions.

The department also initiated a review of the reported income for an estimated 4,000 IHSS consumers who were scheduled to receive an increase in their Medi-Cal Share of Cost (SOC) due to the elimination of the State's buyout program. Staff is currently reviewing cases where income information reported during the review was different from the income on file, and adjusting the SOC accordingly.

Finally, concurrently during the month of October DPSS, the District Attorney and the State worked collaboratively on the development of an IHSS anti-fraud plan. At the invitation of the State, all counties were invited to submit plans in order to secure State funding targeting IHSS fraud initiatives.

The Los Angeles County plan, targeted for Board approval at the meeting of November 17, 2009, is broad in scope and yet narrow in its focus as concrete strategies are aimed at early fraud detection, deterrence and strengthened program integrity tools. State funding, if approved, will be used to hire additional Social Workers, Fraud investigators and Quality Assurance staff who will be able to concentrate on "fraud prone profile" cases.

A major requirement of the fraud plan and a key ingredient for success in Los Angeles County is the multi-team approach to investigative strategy. Our plan includes an integrated or "triage" model where county and State investigators will work in partnership to maximize both skills and resources.

I am confident that the actions we have taken will go a long way in assisting those who may ultimately see their IHSS terminated or hours reduced. I am equally confident that our fraud strategies will not only mitigate fraud in the IHSS program but will also protect those who are often fraud's victims, the IHSS consumers for whom the program is designed to help.

PLB:MC:mjd

c: Chief Executive Officer
Acting County Counsel
Executive Officer, Board of Supervisors
Deputy, Chief Executive Officer